

# ecoNews — Wire —

**IOWA DEPARTMENT OF NATURAL RESOURCES**

**January 9, 2004**

**For immediate release**

- 1. EPC to consider water quality issues; projects**
- 2. DNR enforcement actions**

## **EPC TO CONSIDER WATER QUALITY ISSUES; PROJECTS**

DES MOINES – Commissioners will consider contracts and rulemaking on water quality issues at the Jan. 20 meeting of the Environmental Protection Commission.

The EPC will be asked to consider proposed rules that would change requirements for manure management plans and water quality standards, and to approve final rules on concrete standards for animal confinements. In other action commissioners will be asked to approve contracts to reduce non-point source pollution.

“Many producers I’ve talked with think that the manure management plan changes will require phosphorus-based application rates for everyone,” said Gene Tinker, coordinator of DNR’s animal feeding operations. “That’s simply not the case, because if the phosphorus index is low enough they will still be able to apply manure based on the nitrogen crop usage rate.”

Proposed changes in the water quality rules would set surface water criteria for chloride, and change total dissolved solids standards to allow site specific approaches. Another rule proposal would change lake and stream classifications to add about 300 public lakes to the designated list of lakes and wetlands. It would also protect cold water, high quality water and many warm water streams for secondary contact recreational uses.

The EPC will meet on Tuesday, at 10 a.m., at the DNR office, 7900 Hickman Road in Urbandale. Public participation is scheduled for 10:30 a.m. The meeting is open to the public.

The complete agenda follows:

- Approval of Agenda

- Approval of Minutes
- Director's Remarks
- UHL Contracts Presentation
- NOIA - Amendment to Chapter 65.17 - Manure Management Plan Content Requirements
- Solid Waste Alternatives Program – U.S. Green Fiber Update
- Final Rule - Amend IAC Ch 567-111 - Financial Assurance Requirements for Municipal Solid Waste Landfills
- Proposed Rule - Amend IAC Ch 567-11 - Tax Certification of Pollution Control or Recycling Property
- Nonpoint Source Pollution Control Project Contract
- NPDES Database Contract Amendments
- Final Rule - Chapter 61, Water Quality Standards; Chapter 62, Effluent and Pretreatment Standards: Other Effluent Limitations or Prohibitions
- Proposed Rule, Chapter 49 - Nonpublic Water Supply Wells and Chapter 82 - Well Contractor Certification
- Denial of Petition for Rulemaking - Agribusiness Association of Iowa et.al.
- Air Dispersion Modeling Presentation
- Final Rule - Chapter 65.15 (14) - New Concrete Standards for Formed Manure Storage Structures, including Upgraded Concrete Standards for Karst.
- Appeal of Contested Case - Piper Motor Company, Inc. & Bruce Piper (Tabled)
- Monthly Reports
- General Discussion
- Items for Next Month's Meeting

More information about the agenda items can be found on the DNR website under Commissions and Boards at [www.iowadnr.com](http://www.iowadnr.com).

The members of the commission are Kathryn Murphy, Chair, LeMars; Terrance Townsend, Newton; Lisa Davis-Cook, West Des Moines; Darrell Hanson, Manchester; Lori Glanzman, Mt. Pleasant; Jerry Peckum, Jefferson; Heidi Vittetoe, Washington; Francis Thicke, Fairfield; and Donna Buell, Spirit Lake. The director of the DNR is Jeff Vonk.

**For more information, contact Karen Grimes, at (515) 281-5135.**

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## **DNR ENFORCEMENT ACTIONS**

DES MOINES — The DNR has taken the following enforcement actions. Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty.

- The City of Pocahontas was ordered to comply with discharge limits, water quality standards and its compliance schedule; and to pay a \$5,000 penalty or make a \$5,000 payment to the Fish and Wildlife Trust Fund. The penalty is in addition to restitution of \$16,895.06 for a fish kill on Lizard Creek in August that killed more than 100,000 fish. The order has been appealed.
- Duane Flaherty, of Pocahontas, has been notified of the DNR's intent to place his Wastewater Treatment Operator Certificate on probation for one year. Flaherty was also ordered to complete five units of training in addition to normal continuing education requirements.
- Brian Stortz, of S&P Enterprises, L.C. of Waukon, was ordered to comply with manure applicator certification requirements and to pay a \$1,000 penalty. The order is in regards to applying manure without proper certification.
- Richard and Jerald Reiter, of Bernard, were ordered to comply with minimum manure control requirements and water quality standards, comply with requirements for obtaining permits and to pay a \$4,000 penalty. The order is in regards to a beef cattle feedlot northeast of Cascade in Dubuque County. The order has been appealed. In a separate administrative order, Richard and Jerald Reiter were ordered to comply with minimum manure control requirements and water quality standards, comply with requirements for obtaining permits and to pay a \$6,000 penalty. This order is in regards to a beef cattle feedlot southeast of Bernard in Jackson County. This order has also been appealed.
- In an amendment to a previous administrative order, the City of Mount Ayr was ordered to comply with a revised compliance schedule and to complete construction of any facility improvements necessary to meet final effluent limits. The City was also ordered to comply with interim effluent limits and monitoring requirements, and to maintain and operate existing facilities in proper working order. The order is in regards to Mount Ayr's wastewater treatment facility.

### **Consent Orders**

**A consent order is issued in settlement of an administrative order or as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.**

- Blackhawk Foundry and Machine Company, of Davenport, has agreed to a consent order regarding the resolution of PM-10 National Ambient Air Quality violations. The DNR has ordered and Blackhawk has agreed to: various operational procedures,

keeping maintenance records of the facility's cupola cap, maintaining a security fence, maintaining daily logs of the quantities of materials monitored at air emission units, and providing written notification to the DNR regarding construction events.

**For more information, contact Jessie Rolph at (515) 281-5131.**